G. R. S. IX-5]

L C

Previous references.

File No. 22-16

1917.

Serial Nos.

(Legis,)

Council

Later references.

Legis 23-16

(P-12)

GENERAL AND REVENUE SECRETARIAT.

May be retained

23/4/30

Serial Nos.

Part B for

SUBJECT.

Bill further to amend the Mysore Legislative Council Regn. 1907. (Regn. IX of 1911)

W D 88—GPB—50,000—24-7-16

G. R. S. 11] 1917.

GENERAL AND REVENUE SECRETARIAT.

(Legis)

NOTES.

File No. 22-16

FILE HEADING.

Bill further to amend the Mysore Legislative Council Regn., 1907.

From

No.	Dated	Received

Diary No.	Enclos.	Spare Copies.	Serial No.

BRIEF ABSTRACT OF LETTER.

NOTES AND ORDERS.

Note Leg 32/L.C. dated 12/7/17 to the Compiler Mysore Gazette Publishing the Bill.

NOTES—First Sheet.

Fils 550
D 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

14

General and Revenue Secretariat.

Legis File No. 23 of 1916

Serial No.

L.O. dated 26th Aug: 1917
from Mr B. Narasinga Rao
Serugapalam
Requests that it be specifically
provided in the Bill further to
amend the Legis. Cl. Regs that
the extension of the period of office
from 2 to 3 years ~~be~~ shall apply
to the case of the present
members also.

34) Subv. for orders

30/8/17

35) The Bill will, as soon as it becomes
law, apply all to the members of the Legislative
Council ~~existing~~ ~~other than those~~ present & future.
There is no necessity to make any such special
provision as requested. Submitted for orders.

31/8

847
31-8-17

36) Yes. I agree.

31/8

37) Subv. ~~with~~ May a reply to the above
effect be sent to Mr B. Narasinga Rao.
A draft is put up for approval & the order

38) Not necessary

5/9/17

8/9.

2784

G.R.S. III—3]

Routine Notes.

[To be used only for notes, requisitions, etc., not intended for permanent record.]

Subd. with a copy of the Bill further to amend the Mysore Legislative Council Regulation, 1907, as finally passed with a certificate at the foot shewing the date of approval of H. H. The certificate has to be signed by the Dewan.

30/10/17

For favour of Dewans Signature

EG
30/10

2605
3/11/17

Mr. B.V. Lakshmanarao)

The Dewans signature has been taken and the papers returned herewith.

B. V. Lakshman Rao
8. 11. 17

EG

EG

N.B.—Should routine notes be written on small slips, the notes must be copied, or slips pasted on this form.

W.D. 84—GPB—60,000 -20-7-16

L. C. Meeting dated 30th June 1917 2nd Aug: 1917

A Bill to amend the Mysore Legislative Council Regulation.

Rajasevadhurina Mr. M. Kantharaj Urs, B.A., C.S.I.—SIR,—I beg to move that leave be granted to introduce a Bill to amend the Mysore Legislative Council Regulation. The Bill itself will be a small one consisting of a single amendment in regard to the period of membership in this Council. Under the existing system, the members of the Representative Assembly are elected once in 3 years and the members of the Legislative Council once in two years. It may sometimes happen that an elected Legislative Council Member may continue as such though he ceases to be a member of the Representative Assembly. It is on principle open to objection that a member should represent a body of which he is no longer a member. To prevent this anomaly the proposed Bill is intended to be introduced. The present provision in the Regulation on this point is based on the rule in the British Indian Legislatures before it was amended in 1909. The amendment proposed will, if passed, bring the law here into conformity with that in British India. The question was also mooted by the Members of the Representative Assembly in the last two meetings.

I request that leave may be granted to introduce the Bill.

Mr. C. S. Doraswami Iyer, B.A., B.L.—SIR,—I beg to second the motion.

The motion was put to vote and passed.

Meeting dated 29th Feb: 1917

Bill further to amend the Mysore Legislative Council Regulation.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—I move that the Bill further to amend the Legislative Council Regulation be read in Council. I have already explained at the last meeting the necessity for the Bill and its scope and object. The question of extending the term of office of the members of the Legislative Council from two to three years as in British India was raised in the Representative Assembly last year. Under the present system, the members of the Representative Assembly are elected once in 3 years, and the members of the Legislative Council once in 2 years. To avoid the anomaly of an elected member continuing as a member of the Legislative Council even though he might cease to be a member of the Representative Assembly, the present Bill is introduced. The amendments proposed in the Regulation are only two. The first consists in the insertion of the words "sub-

ject to such conditions as Government may prescribe in this behalf" between the words "shall" and "continue" in Section 6 of the Regulation. The object of this amendment is that a member elected by the Representative Assembly who ceases to be a member of that Assembly before the expiry of his term of office as a member of the Legislative Council, should cease to be a member of the Legislative Council also. It is also necessary to provide for the case of casual vacancies so that the member elected to fill that vacancy may sit only for the unexpired portion of the out-going member's term. Rules will have to be framed to this effect, and necessary power to frame the rule is accordingly required.

The second amendment consists in the substitution of the word "three" for "two," thereby providing that the term of office of a member shall be *three years.*

I have also another important, though small, amendment to move and that is intended not only to give full effect to the intention of this Bill in the case of the existing members, but also to bring our law into complete accord with the practice prevailing in British India, by making the nominations of officials and non-officials also to synchronise with the elections. I am aware that sufficient notice of this amendment has not been given to this Council, but as the matter is somewhat of an emergent nature, I have obtained the President's permission to place it before you at this meeting. The amendment is as follows:—

"The following new clause shall be added in the Bill:—

'This Regulation shall have retrospective effect in the case of the existing members from the dates of their respective appointments:

Provided that the period of their appointment shall be deemed to continue till and to cease on the 1st November 1918.'"

This date has been fixed, in view of the fact that the elections of the members of the Representative Assembly should take place before that date.

As the Bill is a short one and does not involve any controversial question, it is not proposed to refer it to a Select Committee. Any further delay will mean an election at the next Dasara and the very object of the Bill will be frustrated.

With these remarks, I move that the Bill be read in Council.

Mr. C. Narasimhaiya, B.A., B.L.—I second the motion.

Mr. M. Karnick Krishna Murti Rao.—The members coming from the Districts may not be Representative Members. I want to know the object of extending their term till November 1918.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—The object is that all the members of the Council should come and go together in November 1918.

Mr. C. S. Balasundaram Iyer, B.A.—Unless their term is also extended till November 1918, the members of the Representative Assembly chosen next year cannot take part in the elections of District members.

The motion was put to vote and carried.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—I now move that in the Bill as published, the following be inserted as an additional clause:—

"(2) This Regulation shall have retrospective effect in the case of the existing members from the dates of their respective appointments:

Provided that the period of their appointment shall be deemed to continue till and to cease on the 1st November 1918."

Mr. C. Narasimhaiya, B.A., B.L.—SIR,—I beg to second the motion.

The motion was put to vote and passed.

Rajasevadhurina Mr. M. Kantaraj Urs, B.A., C.S.I.—I next move that the Bill as amended be not referred to a Select Committee and that the rules of business be suspended so as to allow the Bill being taken into consideration at once.

Mr. C. Narasimhaiya, B.A., B.L.—SIR,—I beg to second the motion.

The motion was put to vote and passed.

Rajasevadhurina Mr. M. Kantarj Urs, B.A., C.S.I.—I now move that the Bill be taken into consideration and passed.

Mr. C. Narasimhaiya, B.A., B.L.—SIR,—I beg to second the motion.

The motion was put to vote and passed.

The meeting then adjourned *sine die*.

G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

~~2 drafts~~

Office of the Secretary
Mysore Legislative Council

G. R. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

GENERAL AND REVENUE SECRETARIAT,
( )
, the 191 .

Date of issue.....12/7/17.....

Signed by.....Mr S. Sreenivasa Iyer.....

Section
File No.
Serial No.

Notification
No. 32
L.C

~~To~~

~~He~~ Under rule 31 of the Rules for the conduct of busine of the Mysore Legislative Counci the following Bill further t amend the Mysore Legislati Council Regulation, 1907, is published for general infor ation together with a statemen of objects and reasons.

By order

Secretary,
Mysore Leg. Co

[Here print the accompanying Bill over.

10/7/17

To The Compiler, Mysore Gazette
in Part IV of the Mysore Gazette for publicatio
Kannada ~~and~~ and for supplying 100 spare co
in English and 25 in Kannada. Proof should be sen
to this office for approval before publication.

2 copies of Bill as corrected as well as of the S.R. of S & R.

Bill further to amend the Mysore Legislative Council Regulation, 1907.

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Whereas it is expedient further to amend the Mysore Legislative -- Council Regulation, 1907, His Highness the Maharaja ~~x~~ is pleased to enact as follows:-

Amendment of Section 6 of the Regulation.

In section 6 of the Regulation, for the word "two" the word "three" shall be substituted.

between the words "shall" and "continue" the words "subject to such conditions as Government may prescribe in this behalf" shall be inserted and

10/7/07

Statement of objects and reasons.

- - - - -

The Representative Assembly in 1916 requested Government to extend the term of office of the additional -- members of the Legislative Council from two to three years.

In British India under the Regulations issued under the Indian -- Councils Act, 1909, the term of office of the members of every Legislative Council was increased from two to three years and Government consider that it is desirable to do so here also. The Mysore Legislative Council Regulation, 1907, is accordingly proposed to be amended.

Further when a member elected by the Mysore Representative Assembly ceases, before his term of office as member of the Legislative Council, to be a member of the Assembly it is considered desirable that he should cease to be a member of the Legislative Council also. Hence power is also proposed to be taken for Government framing rules in this behalf.

RS/26/7

NOTIFICATION.

No. 32—L. C., dated 12th July 1917.

Under Rule 31 of the Rules for the conduct of business of the Mysore Legislative Council, the following Bill further to amend the Mysore Legislative Council Regulation, 1907, is published for general information together with a statement of objects and reasons.

By Order,
G. SREENIVASA IYER,
Secretary, Mysore Legislative Council.

A Bill further to amend the Mysore Legislative Council Regulation, 1907.

Whereas it is expedient further to amend the Mysore Legislative Council Regulation, 1907 ; His Highness the Maharaja is pleased to enact as follows :—

Amendment of Section 6 of the Regulation.

In Section 6 of the Regulation, between the words "shall" and "continue" the words "subject to such conditions as Government may prescribe in this behalf" shall be inserted and for the word "two" the word "three" shall be substituted.

Statement of Objects and Reasons.

The Representative Assembly in 1916 requested Government to extend the term of office of the additional members of the Legislative Council from two to three years.

In British India under the Regulations issued under the Indian Councils Act, 1909, the term of office of the members of every Legislative Council was increased from two to three years and Government consider that it is desirable to do so here also. The Mysore Legislative Council Regulation, 1907, is accordingly proposed to be amended.

Further when a member elected by the Mysore Representative Assembly ceases before the expiry of his term of office as member of the Legislative Council, to be a member of the Assembly it is considered desirable that he should cease to be a member of the Legislative Council also. Hence power is also proposed to be taken for Government framing a rule in this behalf.

B. NARASINGA RAO,
FIRST GRADE PLEADER,
AND
MEMBER, MYSORE LEGISLATIVE COUNCIL.

D-0

SERINGAPATAM

26. 8. 1917.

Leg

GENERAL SECRETARIAT
JUDICIAL
27 AUG 1917

J Mis 288-17

My dear Sir,

With reference to the Bill to amend the Legislative Council Regulation extending the term of the members from 2 to 3 years with a view to make the terms of the Legislative Council members conterminous with those of the members of the Representative Assembly, I beg to state that if it is the intention of the Govt. that the amendment should govern the term of the existing members also, it may be made clear by inserting a clause to that effect so that, no doubt may exist about the interpretation & effect of the amendment. If you think it fit you may kindly please call for consideration of the Hon'ble the First Member of the Council, who is in charge of the Bill.

I further request that you will kindly let me know when the next meeting of the Legislative Council is likely to be held.

Thanking you in anticipation,

I remain
Yours very sincerely
B Narasinga Rao

To;
The Hon'ble Mr. Greenwood, Esq., B.A., M.L.
Secretary.
The Mysore Leg. Council
Bangalore.